

JOURNAL OF THE HOUSE.

Tuesday, June 29, 2004.

Met according to adjournment, at eleven o'clock A.M., with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

Prayer.

Gracious God, we take a moment to direct our attention and thoughts to You, Our Creator. Your assistance helps us to comprehend the content and consequences of legislative proposals more clearly and to make the easy, difficult and sensitive decisions with confidence. With limited human and material resources and a large number of important people issues, inspire us to select those legislative and administrative options which best serve people and society. In Your goodness, teach us to recognize and follow Your guidelines and ways in our search for personal happiness, purpose and direction in our daily living.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

Pledge of
allegiance.

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Message from the Governor — Disapprovals and Reductions in General Appropriation Bill.

General
Appropriation
Bill,
vetoes
and
reductions.

A message from His Excellency the Governor returning with His disapproval of certain items and sections and parts of certain items, and reductions in certain items contained in the engrossed Bill making appropriations for the fiscal year 2005 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements [see House, No. 4850] (for message, see House, No. 4900) was filed in the office of the Clerk on Friday, June 25.

The message was read; and it was referred, under Rule 30, to the committee on Ways and Means.

Message from the Governor — General Appropriation Bill Returned with Recommendations of Amendments.

General
Appropriation
Bill,
amendments.

A message from His Excellency the Governor returning with recommendations of amendments Sections 15, 28, 35, 56, 68, 69, 69A, 104, 106, 113, 117, 121, 126, 208, 209, 239, 251, 264, 268, 269, 321, 324, 339, 355, 368, 372, 374, 381 and 424 contained in the engrossed Bill making appropriations for the fiscal year 2005 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent

improvements [see House, No. 4850] (for message, House, No. 4901 — Attachments C to EE, inclusive) was filed in the office of the Clerk on Friday, June 25.

The message was read; and, under the provisions of Article LVI of the Amendments to the Constitution, the amendments severally were thereupon “before the General Court and subject to amendment and re-enactment”.

Pending the question on adoption of the amendments recommended by the Governor, the subject-matters were referred, in each instance, on motion of Mr. DeLeo of Winthrop, to the committee on Bills in the Third Reading.

Statement Concerning Representative Bosley of North Adams.

A statement of Mr. DiMasi of Boston concerning Mr. Bosley of North Adams was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Bosley of North Adams, will not be present in the House Chamber for today's sitting due to official business in the district. Any roll calls that he may miss today will be due entirely to the reason stated.

Statement
concerning
Representative
Bosley of
North Adams.

Statement of Representative Hynes of Marshfield.

A statement of Mr. Hynes of Marshfield was spread upon the records of the House, as follows:

MR. SPEAKER: Due to the joint committee on Transportation's scheduled hearing at Quincy City Hall, at 6:00 P.M., a hearing informing South Shore residents of the security plans for the Democratic National Convention in the city of Boston, July 26-29, and the resulting consequences for South Shore commuters and travelers using roadways, transit, boat and plane travel modalities, a hearing which I have been designated to conduct, a hearing which will hear presentations from leaders of the MA State Police, Boston Police, MBTA, MA Highway Department, and representatives of commuter boat operations and Logan Airport, a hearing to which chief executives, police and fire chiefs, business people, commuters and residents of South Shore communities have been invited to attend, I am compelled to leave for this hearing at 5:30 P.M. Had I been present I would have voted in the affirmative on Calendar Item 883 (Senate, No. 2404).

Statement of
Representative
Hynes of
Marshfield.

Papers from the Senate.

The House Bill authorizing the Division of Capital Asset Management and Maintenance to convey certain land to the town of Whitman (House, No. 4688) came from the Senate passed to be engrossed, in concurrence, with amendments in section 1, in lines 6 and 7, striking out the words “approved as to form by the attorney general”; and inserting before the enacting clause the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to forthwith authorize the conveyance of certain land to the town of Whitman, therefore, it is hereby declared to

Whitman
Armory,
conveyance.

be an emergency law, necessary for the immediate preservation of the public convenience.”.

Under suspension of Rule 35, on motion of Mrs. Teahan of Whitman, the amendments (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted, in concurrence.

Nantucket,
land
conveyance.

A petition of Therese Murray, Robert A. O’Leary and Eric Turkington for legislation to authorize the University of Massachusetts to convey a certain parcel of land in the town of Nantucket to the Nantucket Conservation Foundation, came from the Senate referred, under suspension of Joint Rule 12, to the committee on State Administration.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2409) was referred, in concurrence, to the committee on State Administration.

Reports of Committees.

Reading,
police
chief.

By Mr. Kujawski of Webster, for the committee on Steering, Policy and Scheduling, that the House Bill relative to exempting the position of police chief of Reading from civil service (House, No. 4757) [Local Approval Received] be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Jones of North Reading, the bill was read a second time forthwith; and it was ordered to a third reading.

Corporation for
Business, Work
and Learning.

Mr. Scaccia of Boston, for the committee on Rules, on the Order relative to authorizing the committee on Commerce and Labor to make an investigation and study of certain Senate and House documents concerning economic development in the Commonwealth (House, No. 4274) reported, in part, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3737) of Peter J. Larkin, Anthony J. Verga and David P. Magnani relative to changing the name of the Corporation of Business, Work and Learning,— and recommending that the same be recommended to the committee on Commerce and Labor. Under Rule 42, the report was considered forthwith; and it was accepted.

Part-time
employees,
study.

By Mr. Rodrigues of Westport, for the committee on Commerce and Labor, on House, No. 2385, an Order relative to authorizing the committee on Commerce and Labor to make an investigation and study of a certain House document concerning part-time employees (House, No. 4934).

Alien
residents,
study.

By Mr. Straus of Mattapoisett, for the committee on Election Laws, on House, No. 4540, an Order relative to authorizing the committee on Election Laws to make an investigation and study of a certain House document concerning voting rights of alien residents in Cambridge (House, No. 4935) [Representative Reinstein of Revere dissenting].

Corporate
accountability.

By Mr. O’Flaherty of Chelsea, for the committee on the Judiciary, on the residue of House, No. 1930 (section 3), an Order relative to authorizing the committee on the Judiciary to make an investiga-

tion and study on the residue of House document, No. 1930 concerning corporate accountability (House, No. 4936).

Severally referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Subsequently Mr. Scaccia of Boston, for said committees, reported, in each instance, asking to be discharged from further consideration of said orders; and recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

By Mr. Bosley of North Adams, for the committee on Government Regulations, on House, Nos. 8 and 25, a Bill to provide greater consumer protection powers to the boards within the Division of Professional Licensure (House, No. 4937). Read; and referred, under Rule 33, to the committee on Ways and Means.

Licensure
boards,
study.

By Mr. Rogers of Norwood, for the committee on Ways and Means, that the following Bills ought to pass:

The Senate Bill establishing a sick leave bank for an employee of the Department of Social Services (Senate, No. 2230); and

House bills

Bill providing for an exemption for water charges of certain elderly persons (House, No. 3001); and

Bill relative to certain capital spending authorizations (printed in House, No. 4759);

Severally referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kujawski of Webster, for said committee, reported that the matters be scheduled for consideration by the House; and, under said rule, they were placed in the Orders of the Day for the next sitting for a second reading.

Carole M.
Lee,
sick leave
bank.

Elderly,
water charges.

Bond
authorizations.

By Mr. Kujawski of Webster, for the committee on Steering, Policy and Scheduling, that the following matters be scheduled for consideration by the House:

House bills

For a special law re: creditable service of certain employees of the city of Boston (House, No. 4790) [Local Approval Received]; and

Authorizing the city of Salem to issue two additional licenses for the sale of wines and malt beverages (House, No. 4897) [Local Approval Received];

Severally placed in the Orders of the Day for the next sitting for a second reading.

Boston,
creditable
service.
Salem,
alcoholic
beverages
licenses.

By Mrs. Owens-Hicks of Boston, for the committee on Local Affairs and Regional Government, on a petition, a Bill relative to the revision of the charter of the town of Needham (House, No. 4875, changed in section 2, in line , by striking out the words “a town comptroller” and inserting in place thereof the words “a town accountant”, in line , by striking out the words “the town comptroller” and inserting in place thereof the words “the town accountant”; and by adding at the end thereof the following section:

Needham,
charter.

Needham,
charter.

"SECTION 8. The Secretary of the Commonwealth shall place on the official ballot for the state election to be held on November 2, 2004 in the town of Needham the following question:- Shall an act passed by the General Court in the year 2004 entitled, 'An Act relative to the charter of the town of Needham', be accepted?.".) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kujawski of Webster, for said committee, reported that the matter be scheduled for consideration by the House; and, under said rule, it was placed in the Orders of the Day for the next sitting for a second reading.

Emergency Measure.

Credit
union,
insurance

The engrossed Bill relative to the Massachusetts Credit Union Share Insurance Corporation (see Senate, No. 2267, amended), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 4 to 0. Sent to the Senate for concurrence.

Engrossed Bills.

Bills
enacted.

Engrossed bills
Relative to the charter of the city of Lawrence (see House, No. 4195); and

Relative to the town administrator of the town of West Boylston (see House, No. 4230);

(Which severally originated in the House);

Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the Speaker and sent to the Senate.

Motion to Suspend Rule 24(2).

General
Court,
formal
sessions.

Before proceeding to consideration of the Orders of the Day, Mr. Jones of North Reading moved that Rule 24(2) be suspended so that he might offer, from the floor, the following order:

Ordered, That notwithstanding the provisions of Joint Rule 12A, all formal business of the current session of the General Court shall be concluded no later than July 22, 2004; and be it further

Ordered, That the provisions of this order shall not be altered, suspended or rescinded except by a concurrent vote of two-thirds of the members of each branch present and voting thereon, taken by yeas and nays in both houses."

Pending the question on the motion to suspend Rule 24(2), further consideration thereof was postponed, on motion of Mr. Peterson, until the hour of one o'clock P.M.

The noon recess having terminated,— the motion to suspend Rule 24(2) was considered further; and, on motion of Mr. Jones, further consideration thereof was postponed until after disposition of the remaining matters in the Orders of the Day.

House bills

Relative to the eligibility for health insurance for school employees (House, No. 241) (its title having been changed by the committee on Bills in the Third Reading);

Relative to the possession of electronic weapons (House, No. 3400) (its title having been changed by the committee on Bills in the Third Reading);

Relative to fees charged for the sending of bills and invoices by postal mail (House, No. 4398); and

Relative to the licensing authorities for day care providers (House, No. 4418) (its title having been changed by the committee on Bills in the Third Reading);

Severally reported by said committee to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

Senate bills

Relocating certain harbor lines in the Fairhaven and New Bedford harbors (Senate, No. 2170); and

Relative to municipal light plant department security deposits (Senate, No. 2211); and

House bills

Relative to dangerous dogs (House, No. 1436);

Relative to ordinances and by-laws relating to dogs (House, No. 1713);

Relative to dogs (House, No. 4033);

Relative to vicious dogs (House, No. 4223);

Authorizing the city of Haverhill to expedite the sale of real estate by public auction (House, No. 4596);

Authorizing designating a certain bridge in the city of Worcester as the Representative Robert J. Bohigian Bridge (House, No. 4761); and

Establishing a sick leave bank for Melissa J. Cornell, an employee of the Trial Court of the Commonwealth (House, No. 4765);

Severally were read a second time; and they were ordered to a third reading.

The House Bill relative to the authority of the Bureau of Special Investigations (House, No. 6) was read a second time.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 4737),— was adopted.

The substituted bill then was ordered to a third reading.

The House Bill requiring continuing education for licensed plumbers and gas fitters acting in the capacity of a self-employed contractor (House, No. 549) was read a second time.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a Bill requiring continuing education for licensed plumbers and gas fitters (House, No. 4750),— was adopted.

The substituted bill then was ordered to a third reading.

Second
reading
bills

Second reading
bill amended.

11

Recess.

Recess.

At twenty-eight minutes before twelve o'clock noon, on motion of Mr. O'Brien of Kingston (Mr. Donato of Medford being in the Chair), the House recessed until one o'clock P.M.; and at that time the House was called to order with the Speaker in the Chair.

Quorum.

Quorum.

Mr. Jones of North Reading thereupon asked for a count of the House to ascertain if a quorum was present. The Speaker, having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Quorum,
yea and nay
No. 665.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 146 members were recorded as being in attendance.

[See Yea and Nay No. 665 in Supplement.]

Therefore a quorum was present.

Order.

Mr. DiMasi of Boston then offered the following order: —

Second
legislative
day.
Order
adopted,
yea and nay
No. 666.

Ordered, That when the House adjourns today, it adjourn to meet forthwith for a second legislative day.

After debate on the question on adoption of the order, the sense of the House was taken by yeas and nays, at the request of Mr. Peterson of Grafton; and on the roll call 127 members voted in the affirmative and 23 in the negative.

[See Yea and Nay No. 666 in Supplement.]

Therefore the order was adopted.

Subsequently a statement of Mrs. Owens-Hicks of Boston was spread upon the records of the House, as follows:

Statement of
Representative
Owens-Hicks of
Boston.

MR. SPEAKER: During the taking of the above, I was unable to be present in the House Chamber due to official business in another part of the State House.

Accordingly, without further consideration of the remaining matters in the Orders of the Day, at two minutes after two o'clock, on further motion of Mr. DiMasi (the Speaker being in the Chair), the House adjourned to meet forthwith for a second legislative day.

SECOND LEGISLATIVE DAY.

Met according to adjournment.

Motion to Discharge a Certain Matter in the Orders of the Day.

Congress,
vacancies.

Mr. DiMasi of Boston moved that Senate Bill relative to special elections to fill vacancies for Senator and Representative in Congress (Senate, No. 2404), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47.

Rule 47
suspended,

On the question on suspension of Rule 47, the sense of the House was taken by yeas and nays, at the request of Mr. Jones of North

Reading; and on the roll call 130 members voted in the affirmative and 22 in the negative.

yea and nay
No. 667.

[See Yea and Nay No. 667 in Supplement.]

Therefore Rule 47 was suspended.

The bill then was read a second time; and, pending the question on ordering it to a third reading, Mr. Peterson of Grafton raised a point of order that the pending bill was improperly before the House for the reason that the committee on Election Laws did not comply with the provisions of Joint Rule 4 when the report was filed with the Clerk, by conducting a roll call vote and maintaining a record of said vote.

Point of
order.

The Speaker stated that it was not within the province of the Chair to inquire into the internal workings of a committee. Therefore the Speaker ruled that the point of order was not well taken.

Mr. Peterson thereupon appealed from the decision of the Chair; and the appeal was seconded by Mr. Jones of North Reading.

Appeal from
decision of
the Chair.

The question was then put "Shall the decision of the Chair stand as the judgment of the House?"

After debate on said question (Mr. DiMasi of Boston being in the Chair), the sense of the House was taken by yeas and nays, at the request of Mr. Peterson of Grafton; and on the roll call 131 members voted in the affirmative and 22 in the negative.

Decision of
the Chair
sustained,
yea and nay
No. 668.

[See Yea and Nay No. 668 in Supplement.]

Therefore the decision of the Chair was sustained.

Mr. Peterson of Grafton thereupon raised a point of order that the pending bill was improperly before the House for the reason that it did not contain a fiscal note, and that it had not been referred, under Rule 33, to the committee on Ways and Means.

Point of
order.

The Chair (Mr. DiMasi of Boston) stated that although Rule 33 requires that matters involving an expenditure requirement of public money be referred to the committee on Ways and Means, under current circumstances, there is no such expenditure of public money contained in the pending bill. Therefore the Chair ruled that the point of order was not well taken.

Mr. Peterson thereupon appealed from the decision of the Chair; and the appeal was seconded by Mr. Jones of North Reading.

Appeal from
the decision
of the Chair.

The question was then put "Shall the decision of the Chair stand as the judgment of the House?"

Pending said question, Mr. Peterson asked for a count of the House to ascertain if a quorum was present. The Chair (Mr. DiMasi of Boston), having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Quorum.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 149 members were recorded as being in attendance.

Quorum,
yea and nay
No. 669.

[See Yea and Nay No. 669 in Supplement.]

Therefore a quorum was present.

On the question "Shall the decision of the Chair stand as the judgment of the House?", the sense of the House was taken by yeas and nays, at the request of Mr. Jones; and on the roll call 131 members voted in the affirmative and 22 in the negative.

Decision of
the Chair
sustained,
yea and nay
No. 670.

[See Yea and Nay No. 670 in Supplement.]

Therefore the decision of the Chair was sustained.

Motion to refer to Ways and Means negatived, yea and nay No. 671.

After remarks on the question on ordering the bill to a third reading, Mr. Jones of North Reading moved that it be referred to the committee on Ways and Means.

After debate on the motion to refer the bill to the committee on Ways and Means, the sense of the House was taken by yeas and nays, at the request of Mr. Peterson of Grafton; and on the roll call 24 members voted in the affirmative and 129 in the negative.

[See Yea and Nay No. 671 in Supplement.]

Therefore the motion to refer the bill (Senate, No. 2404) to the committee on Ways and Means was negatived.

Recess.

Quorum.

At three minutes after four o'clock P.M., on motion of Mr. Jones of North Reading (Mr. DiMasi of Boston being in the Chair), the House recessed until half past four o'clock; and at fourteen minutes before five o'clock the House was called to order with Mr. DiMasi in the Chair.

Quorum, yea and nay No. 672.

Mr. Peterson of Grafton thereupon asked for a count of the House to ascertain if a quorum was present. The Chair (Mr. DiMasi of Boston), having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 151 members were recorded as being in attendance.

[See Yea and Nay No. 672 in Supplement.]

Therefore a quorum was present.

After debate on the question on ordering the bill to a third reading, Mr. Linsky of Natick moved the previous question.

Motion to order the previous question prevailed, yea and nay No. 673.

On the motion to order the main question, the sense of the House was taken by yeas and nays, at the request of Mr. Jones of North Reading; and on the roll call 123 members voted in the affirmative and 30 in the negative.

[See Yea and Nay No. 673 in Supplement.]

Therefore the motion to order the main question prevailed.

Bill ordered to a third reading, yea and nay No. 674.

On the question on ordering the bill to a third reading, the sense of the House was taken by yeas and nays, at the request of Mr. Peterson of Grafton; and on the roll call 122 members voted in the affirmative and 30 in the negative.

[See Yea and Nay No. 674 in Supplement.]

Therefore the bill (Senate, No. 2404) was ordered to a third reading.

Mr. Peterson of Grafton then moved that this vote be reconsidered; and, under Rule 54, the motion to reconsider was placed in the Orders of the Day for the next session.

Engrossed Bill — Land Taking.

Bourne, land.

The engrossed Bill authorizing the Department of Highways to acquire certain parcels of land in the town of Bourne (see House, No. 4866) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Pending the question on passing the bill to be enacted, Mr. Scaccia of Boston moved that further consideration thereof be postponed until Friday, July 30.

At twelve minutes after seven o'clock P.M., Mr. Jones of North Reading moved that the House adjourn.

On the motion to adjourn, the sense of the House was taken by yeas and nays, at the request of Mr. Peterson of Grafton; and on the roll call 22 members voted in the affirmative and 130 in the negative.

[See Yea and Nay No. 675 in Supplement.]

Therefore the motion to adjourn was negatived.

On the motion to postpone, the sense of the House was taken by yeas and nays, at the request of Mr. Peterson; and on the roll call 121 members voted in the affirmative and 31 in the negative.

[See Yea and Nay No. 676 in Supplement.]

Therefore the motion to postpone prevailed.

Subsequently a statement of Mr. Atsalis of Barnstable was spread upon the records of the House, as follows:

MR. SPEAKER: During the taking of the above roll call, I voted in the affirmative and was inexplicably recorded in the negative.

Motion to adjourn negatived, yea and nay No. 675.

Motion to postpone prevailed, yea and nay No. 676.

Statement of Representative Atsalis of Barnstable.

Order.

Mr. Scaccia of Boston then offered the following order: —

Ordered, That when the House adjourns today, it adjourn to meet forthwith for a third legislative day.

After debate on the question on adoption of the order, the sense of the House was taken by yeas and nays, at the request of Mr. Jones of North Reading; and on the roll call 127 members voted in the affirmative and 24 in the negative.

[See Yea and Nay No. 677 in Supplement.]

Therefore the order was adopted.

Third legislative day. Order adopted, yea and nay No. 677.

Accordingly, without further consideration of the remaining matters in the Orders of the Day, at twenty minutes before eight o'clock P.M., on motion of Mr. Scaccia (Mr. DiMasi of Boston being in the Chair), the House adjourned, to meet forthwith for a third legislative day.

THIRD LEGISLATIVE DAY.

Met according to adjournment.

Orders of the Day.

The motion of Mr. Peterson of Grafton, that the vote be reconsidered by which the House, at the preceding session, ordered to a third reading the Senate Bill relative to special elections to fill vacancies for Senator and Representative in Congress (Senate, No. 2404) was considered.

After debate on the question on the motion to reconsider, the sense of the House was taken by yeas and nays, at the request of Mr. Peterson; and on the roll call 22 members voted in the affirmative and 129 in the negative.

[See Yea and Nay No. 678 in Supplement.]

Therefore the motion to reconsider was negatived.

Congress, vacancies.

Motion to reconsider negatived, yea and nay No. 678.

The bill (reported by the committee on Bills in the Third Reading to be correctly drawn) then was read a third time.

On the question on passing the bill to be engrossed, Mr. Linsky of Natick moved the previous question.

On the motion to order the main question, the sense of the House was taken by yeas and nays, at the request of Mr. Jones of North Reading; and on the roll call 117 members voted in the affirmative and 33 in the negative.

[See Yea and Nay No. 679 in Supplement.]

Therefore the motion to order the main question prevailed.

On the question on passing the bill to be engrossed, in concurrence, the sense of the House was taken by yeas and nays, at the request of Mr. Peterson of Grafton; and on the roll call 116 members voted in the affirmative and 34 in the negative.

[See Yea and Nay No. 680 in Supplement.]

Therefore the bill (Senate, No. 2404) was passed to be engrossed, in concurrence.

Mr. Peterson then moved that this vote be reconsidered; and, under Rule 54, the motion to reconsider was placed in the Orders of the Day for the next session.

Order.

Mr. Scaccia of Boston then offered the following order:—

Ordered, That when the House adjourns today, it adjourn to meet forthwith for a fourth legislative day.

On the question on adoption of the order, the sense of the House was taken by yeas and nays, at the request of Mr. Peterson of Grafton; and on the roll call 124 members voted in the affirmative and 25 in the negative.

[See Yea and Nay No. 681 in Supplement.]

Therefore the order was adopted.

Accordingly, without further consideration of the remaining matters in the Orders of the Day, at twenty minutes after eight o'clock P.M., on motion of Mr. Scaccia (Mr. DiMasi of Boston being in the Chair), the House adjourned to meet forthwith for a fourth legislative day.

FOURTH LEGISLATIVE DAY.

Met according to adjournment.

Orders of the Day.

The motion of Mr. Peterson of Grafton, that the vote be reconsidered by which the House, at the preceding session, passed to be engrossed, in concurrence, the Senate Bill relative to special elections to fill vacancies for Senator and Representative in Congress (Senate, No. 2404) was considered.

Pending the question on the motion to reconsider, the same member moved that further consideration thereof be postponed until Thursday, July 29.

After debate on the motion to postpone, the sense of the House was taken by yeas and nays, at the request of Mr. Peterson; and on the roll call 22 members voted in the affirmative and 127 in the negative.

[See Yea and Nay No. 682 in Supplement.]

Therefore the motion to postpone was negated.

After remarks on the motion to reconsider, the sense of the House was taken by yeas and nays, at the request of Mr. Jones of North Reading; and on the roll call 31 members voted in the affirmative and 118 in the negative.

[See Yea and Nay No. 683 in Supplement.]

Therefore the motion to reconsider was negated.

Order.

On motion of Mr. Finneran of Boston,—

Ordered, That when the House adjourns today, it adjourn to meet tomorrow at one o'clock P.M.

Accordingly, without further consideration of the remaining matters in the Orders of the Day, at thirteen minutes before nine o'clock P.M., on motion of Mr. Scaccia of Boston (Mr. DiMasi of Boston being in the Chair), the House adjourned, to meet tomorrow at one o'clock P.M.

Motion to order the previous question prevailed, yea and nay No. 679.

Bill passed to be engrossed, yea and nay No. 680.

Fourth legislative day. Order adopted, yea and nay No. 681.

Congress, vacancies.

Motion to postpone negated, yea and nay No. 682.

Motion to reconsider negated, yea and nay No. 683.

Next sitting.